

Woods Oviatt Gilman LLP

Attorneys

700 Crossroads Building
2 State Street
Rochester, New York 14614

Tel: 585.987.2800
Fax: 585.454.5088
www.woodsoviatt.com

Writer's Direct Dial Number: 585.987.2816
Writer's Direct Fax Number: 585.987.2916
Email: mostrander@woodsoviatt.com

February 21, 2014

VIA MESSENGER

Hon. David G. Larimer, USDJ
Chambers
100 State Street
Rochester, New York 14614

**Re: Regional Municipality of York v. LeBlanc, et al.
Case No. 13-CV-6675**



Dear Judge Larimer:

This letter is written on behalf of Plaintiff and Defendants in the above-referenced action as a joint application for a stay of the above-referenced action pending the outcome of certain motion practice in a case between the same parties currently pending in the Ontario Superior Court of Justice in the Province of Ontario, Canada (the "Canada Action").

Plaintiff has commenced an action currently pending in the United States District Court for the Western District of New York under Case No. 13-CV-6675 which has been assigned to Your Honor (the "Western District Action"). The Canada Action is currently pending between the same parties in their same capacities in the Ontario Superior Court of Justice under Court File Number: CV-13-114630-00.

Defendants have moved to dismiss the Canada Action for lack of personal jurisdiction. Plaintiff has opposed the Defendants' motion to dismiss the Canada Action and said motion is scheduled to be heard during the week of July 14, 2014. In the event that Plaintiff is successful in its opposition to Defendants' motion to dismiss the Canada Action, Plaintiff intends to voluntarily discontinue the Western District Action.

Accordingly, it is respectfully requested that the Court stay the Western District Action pending resolution of the Defendants' motion to dismiss the Canada Action.

Hon. David G. Larimer, USDJ
February 21, 2014
Page 2

The Court's courtesies are greatly appreciated. Should the Court have any questions, please feel free to contact the undersigned.

Respectfully submitted,

WOODS OVIATT GILMAN LLP



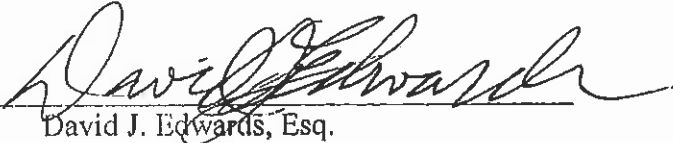
F. Michael Ostrander

FMO/asf

cc: David J. Edwards, Esq. (via email)
Michael T. Pattison, Esq. (via email)


AGREED AND JOINTLY SUBMITTED:

HARRIS BEACH PLLC

By: 

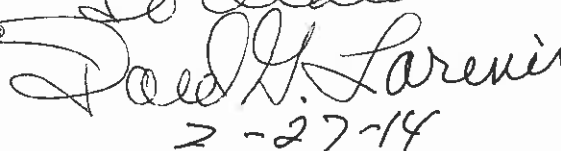
David J. Edwards, Esq.
Attorneys for Jeffrey LeBlanc and
WeCare Organics LLC
99 Garnsey Road
Pittsford, NY 14534
Ph: (585) 419-8800

AGREED AND JOINTLY SUBMITTED:

By: 

Michael T. Pattison, Esq.
Attorneys for WeCare Transportation and
WeCare Environmental, LLC
1 East Main Street
10th Floor
Rochester, NY 14614
Ph: (585) 944-5444

The parties joint request to stay civil action
13 CV 6675 is GRANTED.
So ordered


2-27-14